

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

**GERRY D. GIDDINGS, 13000625,**

Petitioner,

v.

**LUPE VALDEZ, Dallas County Sheriff,**

Respondent.

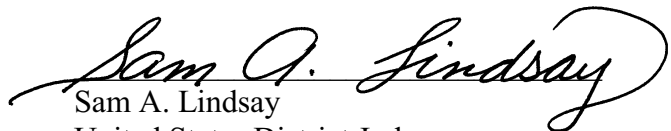
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Civil Action No. **3:13-CV-391-L**

**ORDER**

This case was referred to Magistrate Paul D. Stickney, who entered Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) on May 20, 2013, recommending that this habeas action be dismissed without prejudice pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute. No objections were filed to the Report. The Report that was mailed to Petitioner was returned as undeliverable and no address update has been provided. (Doc. 14) (“Return to sender. Refused. Unable to forward.”). Having reviewed the pleadings, file, and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions of the magistrate judge are correct and **accepts** them as those of the court. Accordingly, the court **dismisses** this action **without prejudice** pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute.

**It is so ordered** this 10th day of June, 2013.

  
Sam A. Lindsay  
United States District Judge